App F IX 4

1953-54
(CH)

File No 27-53-

Previous References
CH 27-51-1, 2

Serial Nos 14, 15, 116, 117

Later References
CH/S 54-5, 6,

GENERAL AND REVENUE SECRETARIAT

Serial Nos 4

Part B for November 1953

SUBJECT

Amendment of the Hawkers Bye laws

WD 01425—GPB—25 000—15 9 1952

To,

The Municipal Commr Mysore
(Through the President)

1 9813/CH 27-53-117
H-11 53

19 3/11/53

Amendment of the Byelaws Re Hawkers

[App F III 2

General and Revenue Secretariat | File No 9607/A1 of 1952 S 3 WD 014428—GPB—40 000—13-7-51

Serial No

Flag K

Proc

The Municipal Council, Mysore city C.P.R 47/50-51 dated 10 3 53 forwards proposals for the amendment of the Bye-laws

Collection C.N 27-51 (SC 184)

Sanctioning the Bye-laws for the Registration of hawkers in Mysore city Municipal Council as put up by the municipal Council has now proposed amendments seeking certain exemptions suggested by Superintendence for approval after going through the required formalities

3) The exemptions to be provided are in respect of :-

1 (a) Head loads of grass
2 (b) Cart loads of grass
3 (c) Cart loads of jodda kadde
4 (d) Oil Mongers
5 (e) Curds and milk mongers
6 (f) Sellers of date mats and mats
7 (g) Grain merchants and cereal dealers
8 (h) Onion and garlic Sellers
9 (i) Sellers of food grains
10 (j) Sellers of Rope
11 (k) Sellers of Bangles
12 (l) people moving about for hawking vessels,

NOTE—Contn Sheet

MV 416 - 20/9/52

Amendment of the Corporation Re hawkers

File No 2 9607/ml of 1952 53 | General and Revenue Secretariat

Serial No

4) The municipal Council has not worked out the cost of licensing by these exemptions

5) The proposal is for orders

Reg 28/3/53

SOR 30/3

6) Amendment to the Byelaw exempting the 12 classes of persons who eke out their daily bread by selling grass ropes etc may be appd

There is no need to examine the financial implications of this suggestion

1/4

Secy DSG

7) May be approved

Minister (G) 6/4

8) Appd 14/4/53

9) Draft GO is put up for approval

Reg 22/4/53

SOR 22/4

10) Section 373 of the Corpn does not state as to who should publish the rules It may be better if

SECRETARIAT 59

OFFICE OF THE DIRECTOR OF PUBLIC HEALTH AND PREVENTIVE MEDICINE No 25

SECRETARIAT 14 APR 195 DEPARTMENT

Serial No

Govt publish the final rules in the Gazette perhaps the Law Secy may be consulted on this point A decision given on one file will help the disposal of 52 or 53 files

24/4

Secy
LSG

11) The G O may issue in this case and the Law Deptt then Consulted

29/4

12) Issued
SM
30/4

To the Pl Commr Mysore Thro' Govt
C S A
no L 1421-22/CH 27-53-15 dt 4-5-53
Approves the Amendments

13) This may now be referred to the Law Deptt for remarks — Reference Paras 10 and 11

19/5

14) As several bye laws have already been issued in shuttup
SM
20/5 the Comr Mysore to publish the bye laws & rules, the matter will be closed

21/5

Secy LSG)

SECRETARY TO GOVERNMENT
25 APR 1953
L S G DEPARTMENT

SECRETARY TO GOVERNMENT
22 MAY 1953
L S G DEPARTMENT

te—Contn Sheet

Serial No

15) Has the Commissioner published them? Verify

29/5

Received letter No C2 PR 47/50 S1 D 18 S 53 from the Municipal Commissioner Kozhikode (through Assistant) regarding, for reasons given, that Government orders sanctioning the Bye-laws may be modified to empower the Municipal Council to exempt articles from the operation of the Bye-laws etc

16) The two Notifications viz. the one dated 19 6 52 and 19 11 52, published by the Municipal Commissioner, Kozhikode calling for objection to the proposed amendments to the Bye-laws relating to Hawkers are for perusal The amendments proposed in the two Notifications are materially differenced by the notification D-19 6 52 seeks to empower the Municipal Council generally to exempt any person or persons or class of persons from the operation of these Bye-laws and the Notification D-19 11 52 seeks to empower the Municipal Council to exempt, from time to time, any person or persons or class of persons from the operation of the Bye-laws in respect of articles mentioned in the Notification

17) From what is reported in the letter dated 10 3 53 of the Municipal Commissioner, it may be made out that the Municipal Council approved the

Hawkers Bye-laws ——— Mysore City Municipality

[App F 111-2

5

9607/52

General and Revenue Secretariat | File No | of 19 | WD 02201—CPB—10 000—7 1234/53

Serial No

S

amendment of the Bye-laws as ~~notified~~ published in ~~both~~ the Notifications D 19 6 52 and 19 11 52 But the Resolution D-5 3 53 of the Municipal Council ~~has~~ only proceeds in particularly in respect of the items published in Notification D 19 11 52 Accordingly the Govt D 4 5 53 approves the amendments only in respect of twelve items contained in the Notification D 19 11 52

PnD

4

amendments

18) The Municipal Commissioner now writes to request that the said Govt d 4 5 53 approving the Bye laws may be suitably modified so as to cover the amendments sought to be made as published in their Notification D 19 6 52 A copy of the Resolution D-10 5-53 said to have been called for but the letter until advertance is not received yet — has perhaps to be called for if action is proposed to be taken as requested to ~~amend~~ modify the Govt D 4 5 53. Approving the amendments as published in the Notification D 19 6 52 and also as in the Notification D 19 11 52 would perhaps be a superfluity as the powers sought to be given by the former amendments includes the powers sought already to be given by the latter Subs for Consideration and Orders

19) As regards para 18, as the Bye laws relate to Mysore City municipality and not the Corporation of Bangalore, there is no need for publication after approval by Govt Such provision exists only in respect of Bglore Corporation

20) Get a copy of the resolution dated 10-5-53

NOTE-Contn Sheet

Nov 11th 52 a/b

Hawkers Bye-laws — Mysore City Municipality

File No 681/53-54/LD of 19 General and Revenue Secretariat

Serial No 9607/52 1274/53 2527

21) Subd. with a draft

22) Office

22/6 22/6

Issued No D 4184/53-54 Dated 7-53 to the Municipal Commissioner, Mysore — calls for a copy of the Resolution D 10 5 53 Received Letter No C2.PR 47/50-51 dated 10 7 53 from the Municipal Committee Mysore — forwards a copy of Resolution No. 79 of 10-5-53

23) It is stated that the Resolution No. 79 copy of which is now forwarded is dated 10-5-52 and not 10-5-53 as stated in the letter D 18/5/53 of the Municipal Committee now

24) the draft bye-laws may now be referred to the Law Branch for scrutiny and remarks

23/7 24/7/53

Secy Law

25) 25/7

26) 25/7

Law Secy 27/7

28) The exemptions to be given by the Municipal Council in respect of persons or

Govt of Mysore Secretariat Department 3509 1953

SECRETARY TO GOVERNMENT LAW DEPARTMENT 27 JUL 1953

LEGISLATIVE DEPARTMENT 27 JUL 1953

Secy 27/7

JWW 27/7

Hawkers Bye laws- Mysore City Municipality

App F III –2]

General and Revenue Secretariat | File No 2527/Mz 7 of 195

Serial No

681 dt 953-54

classes of persons has to be exercised on the basis of some rational principles so as to avoid any discrimination and should be based on reasonable grounds to be recorded in each case The wording of the amendment may perhaps be suitably revised by the Municipality so as to conform to the principles stated above If not, the ~~above~~ new bye laws will be void under Article 13 and 14 of the Constitution of India In order whether the amended bodes Govt may be informed accordingly.

Reg 5/8/53

29) 6/8

Mas 6 8 53

Law Secy)

30) Any exemption from the operation of the Bye laws has to be Based on some Principles otherwise General exemption may ~~become discriminatory~~ not be legal The Proposed exemption from the Bye laws appears to be General in character and it has to be modified Suitably

Secretary-L 54) 21/8/53

31) 21/8/53

32) It would be very good if the Law Secty Could kindly indicate a draft amendment which would satisfy the legal requirement mentioned above, and exempt the hawkers of the type mentioned in detail in the letter

Note —Contn Sheet

Consideration is the amendment proposed as mentioned

Hawkers Bye laws — Mysore City & Municipality

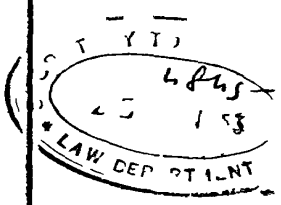
File No 2527/Rs 681 of 1953-54 (A)

General and Revenue Secretariat

Serial No

of the Commissioner dated 10/3/53

Law Secy 22/8 33) 25/8



34) It is difficult for the Law department to precisely indicate the contents of the reasonable principles which the Municipality has to lay down in granting exemptions. It can only be suggested that they must be reasonable. The actual principles will have to be decided by the Municipality itself taking into consideration all factors involved in the practical aspect of the particular question. The Municipality will be in better position to decide this. After such a decision is taken the same has to be published and objections called before it is finalised.

Secy 28/8/53

35) The classes of hawkers specified in the letter may be exempted from the operation of the bye-laws by the insertion of a new bye-law thus

The provisions of these bye-laws shall not be applicable to petty hawkers or hawkers of essential goods specified below

Amendments to Hawkers Bye-laws — Mysore city Municipality

68/Ls/1953-57 25.27/HL

Such a provision would appear to be legally in order as.

Mas 26.8.53

36) A draft amendment as suggested is put up for consideration

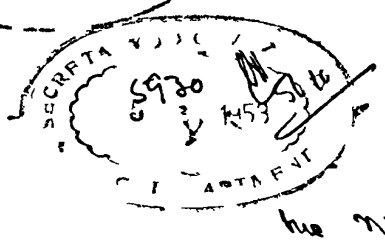
Ligge Eng 26/8/53

MAW 27/8

Law Secy)

4p 11 27.8.53 Mas 27.8.53

Secretary - L & G) cm 2.10.53 Mas 3/10/53



37) Kind reference is invited to the notes in paras 16-18 and the Municipal Council proposed two amendments to the existing bye-laws — Flap S.R.T. The amendment — as notified on 19.6.52 seeks to empower generally the Municipal Council to exempt from time to time, any person or persons or class of persons from the operation of the bye-laws the amendment as notified on 19.11.52 seeks to empower the Municipal Council to, so exempt- the articles specified in the notification. The amendment as notified in the notification dated 19.11.52 has already been published in Rgo dated 24.5.53 what now remains for consideration is the amendment as notified on

1962 generally empowering the Municipal Council to exempt, from time to time, any person or persons or class of persons from the operation of the bye-laws the Municipal Committee Solvents Sanction to his amendment also in accordance with the opinion of the Law Secretary at paras 28-30 ante, amending the bye-laws as notified on 19.6.62 generally Vesting the Municipal Council ~~to exempt~~ with powers to exempt - wing discretion would be against the Constitution In View of this, it is perhaps desirable and necessary that the question of Sanctioning the amendment as notified on 19.6.62 is withdrawn and the Municipal Council informed

(2) As regards the draft of an amendment now put up by the Law Secretariat, issue of the same would perhaps be a Superfluity in View of the bye dated 4.5.63 Sanctioning the amendments as notified on 19.11.62 the matter contained in the bye dated 4.5.63 and in the draft amendment put up by the Law Secretariat is Similar and the effect is the same If, inspite

11

38) of this, the draft amendment as now put up by the Law Secretariat may be issued, it should supersede the G.O. dated 24/5/53 already issued for orders

10/11 Sd 12/10

There is a subtle difference between the subject matters of the two notifications mentioned above; one deals with the exemption of certain traders from obtaining a license & the other deals with the general empowering of M.C.Bs to exempt certain traders from obtaining license. The first subject matter is already decided & orders issued vide G.O. dated 4-5-53

The other subject matter of empowering the M.C. generally to exempt any traders or class of traders from taking a license is not yet decided. Orders have to be issued on this point. Now the notification suggested by the Law Secretary does not deal with this second subject. It deals with the first subject which has already been disposed of. Therefore, in view of the opinion of the Law

Amendment of the Bye laws - re Hawkers
527/52 Mysore City Municipality

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at Para 30, ~~the~~ it has to be presumed that ~~the~~ Ml Cl cannot be generally empowered to exempt any trade or class of traders and that the particular traders have to be specifically mentioned in the bye law. As there are 12 classes of traders ~~that~~ are exempted now, the Ml Cl have to be definitely informed that a general order cannot be issued, that if any more items or trades have to be exempted, a notification has to be issued in the form and by the Law Secretary & that any more trades or class of traders, in addition to 12 professions already exempted, must be added on to the list as mentioned in the notification or amendment + separate action taken. This will be intimated to the Ml Corp

Sd/-

Secy dept)

Clear draft

Sd/- 20/x Sd/- 23/x

SECRETARIAT DIVISION
23 OCT 1953
GOVERNMENT

2527/mc

Amendment of the Bye laws - Hawkers 13
Mysore City Municipality

A draft is put up for consideration

24/10

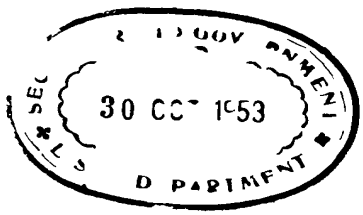
29/10

29/X/53

(Secy
Addl)

Secy
30/X

30/X



To Municipal Commr, Mysore
(Thro the Pdr)

L 9813/Cm 27 53 114
dt 11 53

No. C2 P R 47/5051
Encls 2 Gazettes on peanuts & two

GENERAL & PLANNING SECRETARIAT 9607 20 MAR 1953

CITY MUNICIPAL COUNCIL
P B No 17

Mysore Dated 10th March 1953

FROM

CM 27-53-14

THE MUNICIPAL COMMISSIONER
City Municipal Council
MYSORE

To

The Secretary to Government,
L S G and Planning Departments,
Bangalore
(Through the President)

Sir,

Subject - Amendment of the Byelaws re Hawkers

Adverting to G O No L 3618/CM 27-51-2 dated 16-7-1951 sanctioning the byelaws framed by this Council for the licensing of Hawkers I write to state that certain practical difficulties having been experienced on account of the enforcement of the byelaw due to its application to all kinds of hawking the question of providing for exemptions in respect of certain articles was considered by the Legal Committee of the Council on a resolution tabled by Sri P Sitharamiah, Municipal Councillor

After due examination the Legal Committee recommended the following amendments for the consideration of the Council

(1) Add the following at the end of Rule 2

The Municipal Council may however exempt from time to time any person or class of persons from the operation of these sets of Byelaws

The same was notified in the official gazette on 19-6-52 and Local papers when a note for the final approval of the amendment came up for consideration by the Council they resolved at their meeting held on 5-9-1952 that the following articles be exempted in pursuance of the above amendment to the byelaw

1 Head loads of grass
2 Cart loads of grass
3 Cart loads of Tolada Paddi
4 Oil mongers
5 Curds and Milk mongers
6 Sellers of date mats and mats(ఖర్జూర చాపలు అమ్మేవారు)
7 Groundnuts and uncut fruits
8 Onion and garlic sellers
9 Sellers of foodgrains

10 Sellers of rope
11 Sellers of bangles
12 People moving about for tinning vessels

This was also notified in the official Gazette on 19-11-1952

Copies of the first notification and the second notification are enclosed for reference

As no objections have been received in respect of the above, the Council have approved of the amendments finally at their meeting held on 5-3-1953

In enclosing a copy of the resolution of the Council and the original byelaws approved by Government, I request you kindly to obtain orders of Government to the proposed amendment of bye-law No 2 as notified on 19-8-1952 and to the further amendment to the byelaw exempting the 12 articles notified on 19-11-1952

Yours faithfully

(F M Abdul Rahim)
unicipal Commissioner

Forwarded with compliments

A Krishnamurthy Rao
(A Krishnamurthy Rao)
President

PROCEEDINGS of the Adjourned meeting of the Mysore City Municipal Council held on 5th March 1953 at 4 p m in the Municipal Offices

---

1210 Final approval of the amendment to the bye-laws for the licensing of Hawkers providing for exemption in respect of 12 items of hawking approved in Council Res No 565/dated 5th September 1952

Approved

Sd A Krishnamurthy Rao,
President

Copy

Municipal Commissioner

5

OFFICE OF THE MUNICIPAL COMMISSIONER CITY MUNICIPAL OFFICE MYSORE CITY

Notification dated 19th June 1952

Notice is hereby given to the inhabitants of the Municipality of Mysore that the Mysore City Municipal Council desire to amend the bye laws sanctioned in G O No L 3618—C M 27 51 2 dated 16th July 1951 for the licensing of Hawkers in the City of Mysore framed under Section 51(I) (a)(ii) (vi) and (vii) read with Sections 82 and 167 of the Mysore City Municipalities Act 1933 so as to empower the Council to exempt from time to time any person or persons or class of persons from the operation of the above bye-laws by adding the following words at the end of Rule 2

The Municipal Council may however exempt from time to time any person or persons or class of persons from the operation of these sets of bye laws

Any inhabitant of the Municipality objecting to the proposed tax may within one month from the date of this notice send his objection in writing to the Municipal Council.

F M ABDUL RAHIM
Municipal Commissioner

365

6

OFFICE OF THE MUNICIPAL COMMISSIONER
CITY MUNICIPAL OFFICE MYSORE

Notification dated 19th N v mb 1952

Notice is hereby given to the inhabitants of the Mysore City Municipality that the Municipal Council desire to further amend the bye law relating to licensing of Hawkers in the City of Mysore framed under Section 51(1)(a) (11) (vi) and (vii) read with Section 82 and 167 of the Mysore City Municipalities Act and sanctioned in G O No L 3618—C M 27 51 2 dated 16th July 1951 in addition to the amendment already notified in this office notification dated 19th June 1952 empowering the Council to exempt from time to time any person or persons or class of persons from the operation of the above bye laws so as to exempt the following articles from the operation of the bye law —

1 Head l ads f g as
2 Cart load f g
3 Cart l ads f Jolad kadd
4 Oil Monger
5 Curds and M lk m g
6 Sellers f date m t d m t [(ಈಚಲಚಾಪೆ ಮತ್ತು ಜೆಂಡಿನಚಾಪೆ)
7 G undn t d un t fruit
8 Oni n and garli ller
9 Sellers f f odgrain
10 Seller f rope
11 Sellers f b gle
12 Peopl m vi g b t f tinn g v]

Any inhabitant of the Municipality objecting to the proposed amendment may within one month from the date of this notice send his objection in writing to the Municipal Council

F M ABDUL RAHIM
Commissioner

1236

OFFICE OF THE MUNICIPAL COMMISSIONER
CITY MUNICIPAL OFFICE MYSORE CITY

Notification dated 19th June 1952

Notice is hereby given to the inhabitants of the Municipality of Mysore that the Mysore City Municipal Council desire to amend the bye laws sanctioned in G O No L 1618—C M ,27 51 2 dated 16th July 1951 for the licensing of Hawkers in the City of Mysore framed under Section 51(I) (a)(ii) (vi) and (vii) read with Sections 82 and 167 of the Mysore City Municipalities Act 1933 so as to empower the Council to exempt from time to time any person or persons or class of persons from the operation of the above bye-laws by adding the following words at the end of Rule 2

The Municipal Council may however exempt from time to time any person or persons or class of persons from the operation of these sets of bye laws

Any inhabitant of the Municipality objecting to the proposed tax may within one month from the date of this notice send his objection in writing to the Municipal Council

F M ABDUL RAHIM
Municipal Commissioner

OFFICE OF THE MUNICIPAL COMMISSIONER
CITY MUNICIPAL OFFICE MYSORE

Notification dated 19th November 1952

Notice is hereby given to the inhabitants of the Mysore City Municipality that the Municipal Council desire to further amend the bye law relating to licensing of Hawkers in the City of Mysore framed under Section 51(1)(a) (ii) (vi) and (vii) read with Section 82 and 167 of the Mysore City Municipalities Act and sanctioned in G O No L 3618—C M 27 51 2 dated 16th July 1951 in addition to the amendment already notified in this office notification dated 19th June 1952 empowering the Council to exempt from time to time any person or persons or class of persons from the operation of the above bye laws so as to exempt the following articles from the operation of the bye law —

1 Head loads of grass
2 Cart loads of grass
3 Cart loads of Jolad kadd
4 Oil Monger
5 Curds and Milk mgrs
6 Sellers of dates and mats (ಈಚಲುಚಾಪೆ ಮತ್ತು ಕೊಂಡಿಸುಚಾಪೆ)
7 Groundnut and untreated fruit
8 Onion and garlic sellers
9 Sellers of fodgrain
10 Sellers of rope
11 Sellers of bangles
12 People moving both offering tinning glass

Any inhabitant of the Municipality objecting to the proposed amendment may within one month from the date of this notice send his objection in writing to the Municipal Council

F M ABDUL RAHIM
Commissioner

1236

9

OFFICE OF THE MUNICIPAL COMMISSIONER CITY MUNICIPAL OFFICE MYSORE CITY

Notification dated 19th J n 1952

Notice is hereby given to the inhabitants of the Municipality of Mysore that the Mysore City Municipal Council desire to amend the bye laws sanctioned in G O No L 3618—C M 27 51 2 dated 16th July 1951 for the licensing of Hawkers in the City of Mysore framed under Section 51(I) (a)(ii) (vi) and (vii) read with Sections 82 and 167 of the Mysore City Municipalities Act 1933 so as to empower the Council to exempt from time to time any person or persons or class of persons from the operation of the above bye-laws by adding the following words at the end of Rule 2

The Municipal Council may however exempt from time to time any person or persons or class of persons from the operation of these sets of bye laws

Any inhabitant of the Municipality objecting to the proposed tax may within one month f om the date of this notice send his objection in writing to the Municipal Council

F M ABDUL RAHIM
Municipal Commissioner

365

Bye-laws for the Licensing of Hawkers in the city of Mysore framed under Section 51(1)(a) (ii)(iv) & (vi) read with section 82 and 167(2) of the City Municipalities Act 1933

1 No person shall carry on trade as a hawker within the limits of the Mysore city Municipality without first getting his name registered in the office of the Municipal Council and taking out a license

2 The term " Hawkers" for the purpose of these bye-laws means and includes all persons who go about from door to door, street to street selling or offering to sell goods, wares, merchandise or articles of food and drink and also all persons who keep a way side shop without any definite place of business

3 Every person wishing to hawk in the Mysore city shall apply to the Municipal Commissioner in writing in the form prescribed in Schedule "A" for a license and tender a fee of Rs 5/- per year

4 On receipt of the application with fee, the Municipal Commissioner or some person duly authorised by him in that behalf may grant a license to the applicant

5 The Municipal Commissioner or the person authorised by him may refuse to grant a license without assigning any reasons thereof In case of refusal of license the fee tendered shall be returned to the applicant

6 Every licensee, shall, when engaged as a " Hawker " have with him the license granted and produce the same when required by any Police officer not below the rank of a Sub Inspector or of the Municipality not below the rank of an Assistant Health Inspector

7 The license shall not be transferable and no refund shall be granted on a license which is partly or wholly unused or lost

8 In the case of license actually lost, a duplicate may, at the discretion of the Municipal Commissioner or the Officer authorised by him, be issued on production of satisfactory evidence of such loss by the licensee, and on payment of a fee of eight annas

9 A license issued shall be valid during the official year in which it is granted and may be renewed 15 days before the commencement of the next official year

10 Any person found hawking within the limits of the Mysore city Municipality without a license or failing to produce a license when demanded shall on conviction, be liable to a fine not exceeding Rs 50/- and to a further fine which may extend to Rs 5/- for every day during which the offence continues

Schedule "A"

Name of applicant and Address with D No and street	Permanent place of residence with door No and street	Nature and description of trade	Official year for which license is granted	Amount tendered

I solemnly declare that the particulars given above are correct

Mysore
Dated

SIGNATURE OF APPLICANT

To

The Municipal Commissioner, City Municipality, Mysore

License issued under by-law for live stock hawkers

---

1 [illegible] of license

2 Name in full

3 Trade

4 Amount of tax paid

5 Date of payment

---

1. This license shall be produced on call if for

2 This license is not transferable

Copy.

[illegible]
for Municipal Commissioner

G R S App F VI—G 2]

SUBJECT

5 Copies

Diary No of letter replied to

General and Revenue Secretariat

195

Late of issue 19

Signed by

Section CM

Serial No 27-53

File No 15

Proceedings of the Government of His Highness the Maharaja of Mysore

Read— Go no L 3618-9/CH 27-51-2 dated 16 7 51, Sanction Copies and Bye-laws framed by the Mysore City Municipal Council for Order thereon—No the Licensing of hawkers in the City

2) Letter No C2 P R 47/50-51 dated 10 3 53 from the Municipal Commr Mysore City Municipality proposing for Sanction certain amendments to and a Copy-Bye-laws Framing

May this be—

(i) printed ?
(ii) treated as a standing order ?
(iii) published in the Gazette English Part ?
(iv) translated ?
(v) placed at the disposal of the Press ?
(vi) published in the Gazette Kannada Part ?

Exception of the ~~marginally~~ however of the marginally* noted articles from the operation of the Bye-laws as approved by the Municipal Council in its Resolution dated 5-3-1953 and adding such necessary formalities on its behalf Law being duly observed

Order no L 1421-22 dated 4th May 53

The above amendment to the Bye-laws is approved as recommended

The Council is requested to incorporate the amendment in the Bye-laws

Yours faithfully
Asst Secy
Govt of Kerala
Local Admn (C) Dept
Trivandrum 4/5/53

Margin

(Please type the 12 items noted on para 3 of the order)

List of Enclosures

To

1) The Secretary Kerala Govt, Local Admn (C) Dept, Trivandrum

2) The Controller Stationery

Copied by

Examined by

WD 01406—GPB—12 000 —23 10 5°

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

READ -

Government Order No L 3618-9/C" 27-51-2 dated 16th July 1951 sanctioning the bye-laws framed by the Mysore City Municipal Council for the licensing of hawkers in the City

2 Letter No C2 P F 47/50-51 dated 10th March 1953 from the Municipal Commissioner, Mysore City Municipality, proposing for sanction amendments to the above bye-laws seeking exemption of the hawking of the perennial/noted articles from the operation of the bye-laws as approved by the Municipal Council in its resolution dated 6th March 1953 and adding that necessary formalities in this behalf have been observed

1 Head loads of grass
2 Cart loads of grass
3 Cart loads of Telada Maddi
4 Oil mongers
5 Curds and milk mongers
6 Sellers of date mats and mats
7 Groundnuts and uncut fruits
8 Onion and Garlic sellers
9 Sellers of food grains
10 Sellers of rope
11 Sellers of barrels
12 people moving about for tinning vessels

=====

ORDER NO L /421-22/E1423-53 dt 15

Dated, Bangalore, the 14th May 53

The above amendment to the bye-laws is approved as recommended

The Commissioner is requested to incorporate the amendment in the bye-laws

(A Hanumanthappa)
for Secretary to Government,
L S G & Planning Departments

To

The Municipal Commissioner, Mysore City Municipality thro' the President
" Controller, State Accounts Department, Bangalore

knr-5/30/4

No C2 PR 47/50 51
9607

Encls

REVENUE SECRETARIAT 1274 MUNICIPAL BRANCH

CITY MUNICIPAL COUNCIL
P B No 17
Mysore Dated 18th May 1953

14

FROM

THE MUNICIPAL COMMISSIONER
City Municipal Council
MYSORE

SECRETARIAT 21 MAY 1953 DEPARTMENT

PN 29/53

To

The Secretary to Government,
L S G and Planning Department
Bangalore - 1
(Through the President)

Sir

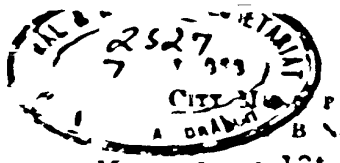
Subject - Hawkers Bye-laws

Adverting to G O No L 1421-22/CI 27-53-15 dated 4th May 1953 approving the amendment to the byelaws for the licensing of Hawkers in this city I write to state that the proposals contained in this office letter to C2 PR 47/14-3-1953 were for obtaining orders of Government to two amendments notified on 19-6-1952 and 19-11-1952 The amendment notified on 19-6-1952 was for empowering the Council to exempt from time to time any person or persons or class of persons from the operation of the bye-laws for the licensing of Hawkers the provision for the above power being brought under Rule 2 of the existing bye-laws The further amendment notified on 19-11-1952 was for exempting the twelve articles from licensing under the bye-laws in question But the order now received is only in respect of the latter notification and the resolution of the Council for empowering to exempt articles from the operation of the bye-law from time to time has not been approved Copy of the resolution No 79/10-5-1953 is enclosed for ready reference I therefore request you kindly to obtain required orders of Government in this behalf and communicate the same for further action

Yours faithfully
N Lakshman Rau
(N Lakshman Rau)
Municipal Commissioner

Forwarded with compliments
T Venkataramaniah
(T Venkataramaniah)
President

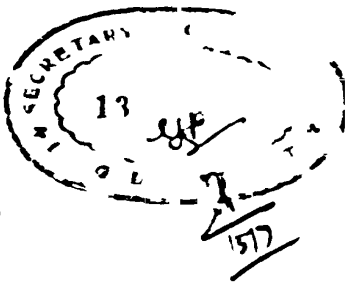
C2 LR-47 50-51



CITY MUNICIPAL COUNCIL, 16
B No 17
Mysore Dated 1[illegible] 19[illegible]

From

THE MUNICIPAL COMMISSIONER,
City Municipal Council
MYSORE



To

The Secretary to Government,
[illegible] Planning Department,
Bangalore
(Through the President)

C on 27-53-116

Subject - Hawkers Bye-laws

With reference to your letter [illegible] dated [illegible] on the above subject, I write to enclose a copy of the resolution [illegible] No 10- -1953 in not 10- -1953

Yours faithfully,
(K Venkatarao)
Municipal Commissioner

Forwarded with compliments
(T Venkatarao Naidu)
President
9/10/53 10/10/53

17

Proceedings of the Adjourned Meeting of the Municipal Council held in the Municipal Offices on 10-3-1952 at 4 p m

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79 Legal Committee Resolution No 36/14th March 1952 on the Ref Sub No 1008/29-1-1952 of the Council suggesting that the following amendment namely

The Municipal Council may however exempt from time to time any person or persons or class of persons from the operation of these sets of bye-laws be added at the end of Rule 2 and stating that in view of the above amendment the Council may specify the class or classes to be exempted by the Municipal Council if they feel such exemptions necessary and suggesting in the meanwhile that persons or persons who deal in vegetables bottles and headloads of fuel to be exempted from the operation of the above set of rules

Proposals regarding the amendment of bye laws approved The second proposal regarding the details of articles to be exempted ferred

Sd A Krishnamurthy Rao,
President

Copy

Municipal Commissioner

Mch, 15/3/52

G R. S App F G 3

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form)

2127

18

Draft

No L 9813 / 53 54
C M 27-53-117
& 4-XI-53

To

The Municipal Commr,
Mysore (thro Govt).

Sir,

Sub Amendments to Hawkers bye laws.

Please refer to the correspondence resting with your letter No C2 PR 47/50 51 & 10 7 53 on the subject mentioned above. I am directed to state that the amendments as published in the Notification & 19 11 52, forwarded with your letter of even number & 10 2 53, sought to further amend the Proposals as published in the Notification & 19 6 52 so as to empower the Municipal Council

to exempt from the operation of the bye-laws any person or persons or class of persons dealing in respect of the twelve articles specified therein Govt No L 14021 22/CH 27 53-15 & 4th May 1983, proposals for amending the bye-laws seeking exemption from the operation of bye-laws the hawking of the twelve articles detailed in the Notification dated 19 11 82 are already sanctioned

As regards the sanctioning also of the amendments as published in the Notification dated 19 6 82, I am directed to state that the said amendments seek to generally empower the Municipal Council to exempt any person or persons or class of persons from the operation of the bye-laws The amendments, if sanctioned, will vest discretionary powers with the Municipal Council for exempting any person or persons or class of persons hawking or dealing in articles other than the twelve articles

~~already~~ specified in the Notification dt 19 11 52 and already sanctioned in G.O. dt 4 5 53 referred to above the exemption to be given by the Municipal council from the operation of bye-laws will have to be exercised on the basis of some rational principles so as to avoid discrimination and should be based on reasonable grounds to be specified in each case otherwise, the ~~accused~~ bye-laws will be opposed to the Articles 13 & 14 of the constitution of India In the circumstances, I am to state that the amendments as published in the Notification dt 19 6 52 are not in order and cannot be sanctioned as they seek to vest general powers of exemp-

plan with the Municipal Council

However, I am to add that Separate action may be taken further to amend the bye laws in case the Municipal Council feels that any more Specified articles, other than the twelve already exempted, may also be exempted from the operation of the bye laws

Yours faithfully

30/x

Secry, L S G & Planning Dept

24/10

29/10

Good draft

30/x

Practical - 13

Concept - 21

34